IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SECOND DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

-

WRIT PETITION NO : 12722 of 2004

Between:

Smt. Satyamma, W/o Jalla Balaiah,
R/o Parupalli Village, Koilkonda Mandal, Mahabubnagar District.

..... PETITIONER

AND

1 The District Collector, Mahabubnagar District at Mahabubnagar.
2 The Revenue Divisional Officer, Mahabubnagar.
3 The Mandal Revenue Officer, Koilkonda Mandal, Mahabubnagar District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction, more particularly a Writ in the nature of Mandamus, declaring the action of the respondents in trying to dispossess the petitioner from the land situate in Sy.No. 251, to an extent of 0-30 guntas classified as Gairan situate in Parupalli village, Koilkonda Mandal Mahabubnagar District without issuing any notice or opportunity, without following the due process of law and without considering our requests and representation on merits or assigning the same in the light of our continuous possession and enjoyment and the investment made by the petitioner, as being illegal, arbitrary and unjust and consequently direct the respondents not to dispossess me from the said land, or damage to the existing

crop without following the due process of law.

Counsel for the Petitioner:MR.M.A.ASHFAQ MOHIUDDIN

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following ORDER:

Admittedly, as per the petitioner, she has occupied the land in question without any lawful authority. She made a representation dated 28-06-2004 to the respondents for regularization of such occupation. But this Court, in exercise of powers conferred under Article 226 of the Constitution of India, cannot direct the respondents for regularization of such illegal occupation. It is only the respondents, who can consider the representation of the petitioner if the land is otherwise assignable to the landless poor person and the occupation of the petitioner is unobjectionable.

In view of the same, the respondents shall consider the representation made by the petitioner dated 28-06-2004 and dispose of the same.

The writ petition is accordingly, disposed of. No costs.

22nd JULY, 2004.

Note: furnish c.c. in two days.

B/o

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To

1 The District Collector, Mahabubnagar District at Mahabubnagar.
2 The Revenue Divisional Officer, Mahabubnagar.
3 The Mandal Revenue Officer, Koilkonda Mandal, Mahabubnagar District.

4 Two CCs to the Government Pleader for Revenue, A.P.High Court Buildings,

Hyderabad.

5 Two CD copies.